

103D CONGRESS
2D SESSION

S. 476

AN ACT

To reauthorize and amend the National Fish and
Wildlife Foundation Establishment Act.

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AN ACT

To reauthorize and amend the National Fish and Wildlife
Foundation Establishment Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **TITLE I—AMENDMENTS TO NA-**
2 **TIONAL FISH AND WILDLIFE**
3 **FOUNDATION ESTABLISH-**
4 **MENT ACT**

5 **SEC. 101. SHORT TITLE.**

6 This title may be cited as the “National Fish and
7 Wildlife Foundation Improvement Act of 1994”.

8 **SEC. 102. COOPERATIVE PROGRAMS WITH NATIONAL OCE-**
9 **ANIC AND ATMOSPHERIC ADMINISTRATION.**

10 Section 2(b)(1) of the National Fish and Wildlife
11 Foundation Establishment Act (16 U.S.C. 3701(b)(1)) is
12 amended by inserting “and the National Oceanic and At-
13 mospheric Administration” after “the United States Fish
14 and Wildlife Service”.

15 **SEC. 103. MEMBERSHIP OF BOARD OF DIRECTORS OF**
16 **FOUNDATION.**

17 (a) CONSULTATIONS REGARDING APPOINTMENTS.—

18 (1) IN GENERAL.—Section 3(b) of the National
19 Fish and Wildlife Foundation Establishment Act (16
20 U.S.C. 3702(b)) is amended by adding at the end
21 the following new sentence: “The Secretary of the
22 Interior shall consult with the Under Secretary of
23 Commerce for Oceans and Atmosphere before ap-
24 pointing any Director of the Board.”.

1 (2) APPLICATION.—The amendment made by
2 paragraph (1) shall apply to appointments of Direc-
3 tors of the Board of Directors of the National Fish
4 and Wildlife Foundation made after the date of en-
5 actment of this Act.

6 (b) EXPANSION OF BOARD.—Section 3(a) of the Na-
7 tional Fish and Wildlife Foundation Establishment Act
8 (16 U.S.C. 3702(a)) is amended—

9 (1) in the matter preceding paragraph (1), by
10 striking “nine” and inserting “15”; and

11 (2) in paragraph (2), by striking “three” and
12 inserting “4”.

13 (c) INITIAL TERMS.—Of the Directors on the Board
14 of Directors of the National Fish and Wildlife Foundation
15 first appointed pursuant to the amendment made by sub-
16 section (b)(1), notwithstanding the second sentence of sec-
17 tion 3(b) of the National Fish and Wildlife Foundation
18 Establishment Act (16 U.S.C. 3702(b))—

19 (1) 2 shall be appointed to a term of 2 years;

20 (2) 2 shall be appointed to a term of 4 years;

21 and

22 (3) 2 shall be appointed to a term of 6 years;

23 as specified by the Secretary of the Interior at the time
24 of appointment.

1 (d) COMPLETION OF APPOINTMENTS.—Not later
 2 than 60 days after the date of enactment of this Act, the
 3 Secretary of the Interior shall appoint the additional mem-
 4 bers of the Board of Directors of the National Fish and
 5 Wildlife Foundation referred to in subsection (c).

6 (e) AUTHORITY OF BOARD NOT AFFECTED.—The
 7 authority of the Board of Directors of the National Fish
 8 and Wildlife Foundation to take any action otherwise au-
 9 thorized by law shall not be affected by reason of the Sec-
 10 retary of the Interior not having completed the appoint-
 11 ment of Directors of the Board of Directors of the Na-
 12 tional Fish and Wildlife Foundation pursuant to the
 13 amendment made by subsection (b)(1).

14 **SEC. 104. REAUTHORIZATION OF NATIONAL FISH AND**
 15 **WILDLIFE FOUNDATION ESTABLISHMENT**
 16 **ACT.**

17 (a) REAUTHORIZATION.—Section 10 of the National
 18 Fish and Wildlife Foundation Establishment Act (16
 19 U.S.C. 3709) is amended—

20 (1) in subsection (a), by striking “not to exceed
 21 \$15,000,000” and all that follows through the end
 22 of the sentence and inserting “\$25,000,000 for each
 23 of fiscal years 1994, 1995, 1996, 1997, and 1998.”;
 24 and

1 (2) by adding at the end the following new sub-
2 section:

3 “(c) ADDITIONAL AUTHORIZATION.—The amounts
4 authorized to be appropriated under this section are in
5 addition to any amounts provided or available to the
6 Foundation under any other Federal law.”.

7 (b) CLERICAL AMENDMENT.—Section 10(b)(1) of the
8 National Fish and Wildlife Foundation Establishment Act
9 (16 U.S.C. 3709(b)(1)) is amended by striking “para-
10 graphs (2) and (3),” and inserting “paragraph (2),”.

11 **SEC. 105. CONVEYANCE OF SENECAVILLE NATIONAL FISH**
12 **HATCHERY.**

13 (a) CONVEYANCE AUTHORIZED.—Notwithstanding
14 any other provision of law and not later than 180 days
15 after the date of enactment of this Act, the Secretary of
16 the Interior shall convey to the State of Ohio without re-
17 imbursement all right, title, and interest of the United
18 States in and to the property known as the Senecaville
19 National Fish Hatchery, located in Senecaville, Ohio, in-
20 cluding—

21 (1) all easements and water rights relating to
22 that property; and

23 (2) all land, improvements, and related personal
24 property comprising that hatchery.

1 (b) USE OF PROPERTY.—All property and interests
 2 conveyed under this section shall be used by the Ohio De-
 3 partment of Natural Resources for the Ohio fishery re-
 4 sources management program.

5 (c) REVERSIONARY INTEREST.—All right, title, and
 6 interest in and to all property and interests conveyed
 7 under this section shall revert to the United States on any
 8 date on which any of the property or interests are used
 9 other than for the Ohio fishery resources management
 10 program.

11 **TITLE II—BROWNSVILLE** 12 **WETLANDS POLICY CENTER**

13 **SEC. 201. SHORT TITLE.**

14 This title may be cited as the “Brownsville Wetlands
 15 Policy Act of 1994”.

16 **SEC. 202. ESTABLISHMENT OF WETLANDS POLICY CENTER** 17 **AT THE PORT OF BROWNSVILLE, TEXAS.**

18 (a) ESTABLISHMENT OF CENTER.—For purposes of
 19 utilizing grants made by the United States Fish and Wild-
 20 life Service, there may be established in accordance with
 21 this title, on property owned or held in trust by the
 22 Brownsville Navigation District at the Port of Browns-
 23 ville, Texas, a wetlands policy center which shall be known
 24 as the “Brownsville Wetlands Policy Center at the Port
 25 of Brownsville, Texas” (referred to in this title as the

1 “Center”). The Center shall be operated and maintained
2 by the Port of Brownsville with programs to be adminis-
3 tered by the University of Texas at Brownsville.

4 (b) MISSION OF THE CENTER.—The primary mission
5 of the Center shall be to utilize the unique wetlands prop-
6 erty at the Port of Brownsville and adjacent waters of
7 South Texas to focus on wetland matters for the purposes
8 of protecting, restoring, and maintaining the Lagoon
9 Ecosystems of the Western Gulf of Mexico Region.

10 (c) BOARD OF DIRECTORS.—The Center shall be gov-
11 erned by a Board of Directors to oversee the management
12 and financial affairs of the Center. The Board of Directors
13 shall be cochaired by the Port of Brownsville, the Univer-
14 sity of Texas at Brownsville, and the designee of the Di-
15 rector of the Fish and Wildlife Service, and shall include
16 as members other representatives considered appropriate
17 by those cochairs.

18 (d) OVERSIGHT OF THE CENTER.—

19 (1) ANNUAL REPORT.—The Board of Directors
20 of the Center shall prepare an annual report and
21 submit the report through the Director of the Unit-
22 ed States Fish and Wildlife Service to Congress.

23 (2) CONTENTS.—Annual reports under this
24 subsection shall cover the programs, projects, activi-
25 ties, and accomplishments of the Center. The reports

1 shall include a review of the budget of the Center,
2 including all sources of funding received to carry out
3 Center operations.

4 (3) AVAILABILITY OF INFORMATION.—The
5 Board of Directors of the Center shall make avail-
6 able all pertinent information and records to allow
7 preparation of annual reports under this subsection.

8 (4) GENERAL ACCOUNTING OFFICE.—The
9 Comptroller General of the United States shall peri-
10 odically submit to Congress reports on the oper-
11 ations of the Center.

12 **SEC. 203. GRANTS.**

13 The Director of the United States Fish and Wildlife
14 Service shall, subject to the availability of appropriations,
15 make grants to the Center for use for carrying out activi-
16 ties of the Center.

17 **SEC. 204. LEASE.**

18 The Director of the United States Fish and Wildlife
19 Service, subject to the availability of appropriations, may
20 enter into a long-term lease with the Port of Brownsville
21 for use by the Center of wetlands property owned by the
22 Port of Brownsville. Terms of the lease shall be nego-
23 tiated, and the lease shall be signed by both parties, prior
24 to the disposal of any Federal funds pursuant to this title.

1 The lease shall include a provision authorizing the Direc-
2 tor to terminate the lease at any time.

3 **SEC. 205. OTHER REQUIREMENTS.**

4 (a) IN GENERAL.—As conditions of receiving assist-
5 ance under this title—

6 (1) the University of Texas at Brownsville shall
7 make available to the Center for fiscal years 1994,
8 1995, 1996, and 1997—

9 (A) administrative office space;

10 (B) classroom space; and

11 (C) other in-kind contributions for the
12 Center, including overhead and personnel; and

13 (2) the Port of Brownsville shall make available
14 up to 7,000 acres of Port Property for the pro-
15 grams, projects, and activities of the Center.

16 (b) ANNUAL REPORT.—The Board of Directors of
17 the Center shall include in the annual report of the Board
18 under section 202(d) a statement of whether the condi-
19 tions referred to in subsection (a) have been met.

20 **SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

21 There are authorized to be appropriated to the Unit-
22 ed States Fish and Wildlife Service \$5,000,000 for fiscal
23 year 1994, \$4,000,000 for fiscal year 1995, \$4,000,000
24 for fiscal year 1996, and such sums as may be necessary
25 for fiscal year 1997, for making grants to the Center

1 under section 203, including for use for the establishment,
2 operation, maintenance, and management of the Center.

3 **SEC. 207. RELATIONSHIP OF CENTER WITH THE CENTER**
4 **FOR ENVIRONMENTAL STUDIES AND SERV-**
5 **ICES, CORPUS CHRISTI, TEXAS.**

6 None of the funds appropriated pursuant to this title
7 may be used to relocate any of the administrative oper-
8 ations of the United States Fish and Wildlife Service from
9 the Center for Environmental Studies and Services Build-
10 ing on the campus of Corpus Christi State University, to
11 the Brownsville Wetlands Policy Center at the Port of
12 Brownsville, Texas, established pursuant to this title.

Passed the Senate March 8 (legislative day, February 22), 1994.

Attest:

Secretary.

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